



PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

6

Application Number

10/538,544 ✓

Filing Date

June 10, 2005

First Named Inventor

Thomas EHRHARDT

Art Unit

1616

Examiner Name

Unassigned

Attorney Docket Number

BAS.F.10040

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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Remarks

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Firm Name

Hutchison & Mason PLLC

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Christopher J. Knors

Date

01/03/2006

Reg. No.

45,569

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Patent
Attorney Docket No. BASF.10040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas EHRHARDT et al.

Application No.: 10/538,544

Group Art Unit: 1616

International Application No. PCT/EP2003/014379

Filing Date or 371(c) : June 10, 2005

Examiner: Unassigned

Title: Malate Dehydrogenase as Target for Herbicides

Confirmation No.: 5422

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

A copy of each of the documents cited and required by 37 C.F.R. § 1.98 is enclosed.

Some of the listed documents were cited in the International Search Report from the corresponding International application, a copy of which is enclosed. A copy of the English translation of International Preliminary Examination Report is also enclosed.

To assist the Examiner, the documents are listed on the attached form PTO/SB/08. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.


The cited documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

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Respectfully submitted,

HUTCHISON & MASON PLLC

Date: 12/30/05

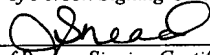
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Jennie Snead

(Typed Name of Person Signing Certificate)



(Signature of Person Signing Certificate)

Date of Signing: 01/03/2006



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/538,544
Filing or 371(c) date	June 10, 2005
First Named Inventor	EHRHARDT, Thomas
Group Art Unit	1616
Examiner Name	Unknown

Sheet 1 of 2

Attorney Docket No: BASF.10040

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document
	5 187 071	02-16-1993	Fischer et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Abstract, Translation, English Language Equivalent or Search Report
	WO 98/33925	08-06-1998		
	WO 00/77185	12-21-2000		

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

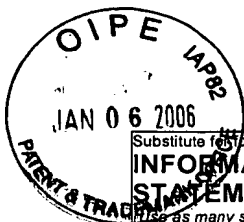
Examiner Initials*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Abstract, Translation, English Language Equivalent or Search Report
	International Search Report for PCT/EP2003/014379	
	International Preliminary Examination Report for PCT/EP2003/014379	English Translation provided
	The Arabidopsis Genome Initiative, "Analysis of the genome sequence of flowering plant Arabidopsis thaliana", Nature, 2000, pp. 796-815, vol. 408.	
	BOUCHE, Nicolas et al., "Arabidopsis gene knockout-phenotypes wanted", Current Opinion in Plant Biology, 2001, pp. 111-117, vol. 4, no. 2.	
	FASKE, Maria et al., "Transgenic tobacco plants expressing pea chloroplast Nmdh cDNA in sense and antisense orientation. Effects on NADP-malate dehydrogenase level, stability of transformants and plant growth", Plant Physiology, 1997, pp. 705-715, vol. 115.	
	GIETL, C., "Glyoxysomal malate dehydrogenase from watermelon is synthesized with an amino-terminal transit peptide", Proceedings of the National Academy of Sciences of the United States of America, 1990, pp. 5773-5777, vol. 87. (including P19446 Swiss-Prot)	Sequence included

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † Applicant's unique citation designation number (optional) ‡ Applicant is to place a check mark here if English language Translation is attached



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
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Application Number	10/538,544
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First Named Inventor	EHRHARDT, Thomas
Group Art Unit	1616
Examiner Name	Unknown

Sheet 2 of 2

Attorney Docket No: BASF.10040

	GOODMAN, M.M. et al., "Malate dehydrogenase viability of cytosolic nulls and lethality of mitochondrial nulls in maize", Proceeding of the National Academy of Sciences of the United States of America, 1981, pp. 1783-1785, vol. 78, no. 3.	
	KATO, Akira et al., "Glyoxysomal malate dehydrogenase in pumpkin: cloning of a cDNA and functional analysis of its presequence", Plant and Cell Physiology, 1998, pp. 186-195, vol. 39, no. 2.	
	KIM, Dae-Jae et al., "Expression of a single gene encoding microbody NAD-malate dehydrogenase during glyoxysome and peroxisome development in cucumber", Plant Molecular Biology, 1994, pp. 1833-1841, vol. 26. (including Gen Bank Accession No. L31900)	Sequence Included
	Gen Bank Accession No. L01628 From: Guex, N. et al., "Glyoxysomal malate dehydrogenase and malate synthase from soybean cotyledons (Glycine max L.): enzyme association, antibody production and cDNA cloning", Planta, 1995, pp. 369-375, vol. 197 no. 2.	Abstract and sequence only
	Gen Bank Accession No. D85763 From: Kaminaka, H., "Molecular cloning and characterization of a cDNA (accession No. D85763) encoding glyoxysomal malate dehydrogenase from rice (Oryza sativa L.)" Plant, 1998, pp. 329, vol. 118.	Abstract and sequence only
	BT003009 Arabidopsis thaliana Ara MDH At2g22780	Abstract and Sequence only

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